

**REMARKS**

Claims 1-22 are currently being prosecuted. The Examiner is respectfully requested to reconsider the Restriction Requirement in view of the remarks as set forth hereinbelow.

**Patent Cooperation Treaty**

At the outset, it is respectfully submitted that the present application entered into the National Phase before the U.S. Patent and Trademark Office based on a PCT application. Thus, the rules that apply to the present application with regard to unity of invention are set forth in 37 C.F.R. §§ 1.475-1.477.

As set forth in 37 C.F.R. § 1.475(a), an International and a National Stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. On October 22, 1999, when the present application was filed in the U.S. Patent and Trademark Office, the Examiner was provided with a copy of the International Preliminary Examination Report. In this report, the International Bureau maintained all of the claims as a single application based on the fact that the claims were so linked as to form a single general inventive concept.

Thus, claims 1-22 should be considered in a single application. The Examiner is therefore respectfully requested to reconsider the Restriction Requirement.

### **Restriction Requirement**

The Examiner has set forth a Restriction Requirement with regard to claims 2-22. The grouping of the claims is set forth as follows:

Group I, claims 2-3 and 6-7, drawn to optical retardation compensator plates, classified in class 349, subclass 117;

Group II, claims 4-5 and 13-14, drawn to reflective film details, classified in class 349, subclass 113;

Group III, claims 8-9, drawn to a particular dispersion of retardation, classified in class 349, subclass 112;

Group IV, claims 10-12, 16-17, and 19-20, drawn to a sub 90° twist angle, classified in class 349, subclass 76;

Group V, claim 15, drawn to the viewing angle direction, classified in class 349, subclass 99; and

Group VI, claims 18 and 21-22, containing limitations of both groups IV and I.

Applicants have provisionally elected claims 2-3 and 6-7 for initial examination. It is also respectfully submitted that the Restriction Requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

As set forth in § 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire

application can be made without serious burden. Two criteria are identified for proper requirement for Restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the Restriction is not required.

Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. A review of the subject matter set forth in the claims would have an overlapping search. This is exemplified in that the Examiner has stated that examination of claims 2-22 are classified in class 349. Merely to search various subclasses within class 349 does not constitute a serious burden on the Examiner.

In order to be responsive to the Examiner's Restriction Requirement, however, claims 2-3 and 6-7 have been provisionally elected. The Examiner is respectfully requested to reconsider the Restriction Requirement and act on all of the claims of the application. If the Examiner does persist on the Restriction Requirement, Applicants reserve the right to file a divisional application directed to the non-elected claims at a later date if they so desire.

**The Examiner's Grouping of Claims  
Does Not Consider Technical Relationships**

It is respectfully submitted that claims 2-3, 6-7, 8-10, 18-19, and 21-22 should be considered in a single application. The Examiner is therefore respectfully requested to reconsider the Restriction Requirement.

Referring to the Examiner's Office Action, the Examiner states that claims 18 and 21-22 contain elements of both Groups IV and I. As such, it is respectfully submitted that since claims 18 and 21-22 contain elements of Group I, the claims are technically related to those claims in Group I and thus are properly grouped in Group I.

It is further respectfully submitted that the invention recited in claims 18 and 21 contain elements similar to those found in claim 2, namely, the circularly polarizing means and thus are technically related to claim 2. As such, it is respectfully submitted that claims 18 and 21 are properly grouped in Group I.

It is further respectfully submitted that claims 19 and 22 contain elements similar to those found in claim 3, namely, the product of the birefringence difference and thus are technically related to claim 3. As such, claims 19 and 22 are properly grouped in Group I.

It is respectfully submitted that claims 8 and 9 contain elements similar to those recited in claim 2, namely, optical

retardation compensator plates. Further, claims 8 and 9 define the wavelength properties of the optical retardation compensator plates as set forth in claims 2 and 3. As such, it is respectfully submitted that claims 8 and 9 are technically related to claims 2 and 3 and are properly grouped in Group I.

It is further respectfully submitted that claim 10 contains elements similar to those found in claim 3, namely, a transmission axis or an absorption axis of the linear polarizer plate forming an angle,  $\theta_3$ , and thus is technically related to claim 3. As such, it is respectfully submitted that claim 10 is properly grouped in Group I.

It is respectfully submitted that claims 11 and 12 are not properly grouped in Group IV, as the invention containing claims 11 and 12 are not drawn to a sub  $90^\circ$  twist angle. Rather, it is respectfully submitted that claims 11 and 12 are properly grouped in Group V, as they include the claim element of a viewing direction.

It is further respectfully submitted that claims 16, 17, and 20 should also be considered linking claims, as they link inventions contained in Groups I, II, III, IV, and V.

Based upon the foregoing remarks, Applicants respectfully request reconsideration of the Restriction Requirement.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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